

REMARKS

Claims 1-14 and 20-29 remain pending in the application. Claims 15-19 have been cancelled. Applicants respectfully request reconsideration of all pending claims in light of the remarks presented herein.

Applicants submit that all pending claims are in condition for allowance. It is respectfully requested that the Examiner telephone the undersigned at (805) 781-2865 if there are any remaining issues so that the issues may be resolved as expeditiously as possible.

Claim Rejections - 35 U.S.C. §102

Claims 1, 2, 4-6, 8-14 and 20-29 were rejected under 35 U.S.C. § 102(b), as being anticipated by U.S. Patent Publication No. 2003/0050982 A1 (Chang).

Claims 1, 4-6, 8-14 and 25 recite “a method (means) for searching for an event profile corresponding to the event”. The Office Action asserts that this limitation is taught by Chang in paragraph 16 that is reproduced below, (Office Action, Page 2 Line 16).

In one embodiment, the description is embedded within the recorded part of the event. For example, the event may be recorded with an Exchangeable Image File (EXIF) format, which is a standard format for storing information within digital photography image files using JPEG compression, in the DIG35, promulgated by the Digital Imaging consortium (see <http://www-digitalimaging-org>), in the graphics interchange format (GIF), or other data format providing for embedding data within the recorded part of the event. (To prevent inadvertent hyperlinks, the periods in the preceding Uniform Resource Locator (URL) were replaced with hyphens.) In one embodiment, data may be associated with the recorded part of the event to facilitate archiving, indexing, cataloging, cross-referencing, reviewing, and retrieving recordings. (Chang, Paragraph 16)

In its rejection, the Office Action improperly fails to identify the element (i.e. part) in this description that is asserted to be the same element as Applicants’ “event profile”.

When a reference is complex or shows or describes inventions other than that claimed by the applicant, the particular part relied on must be designated as nearly as practicable. 37 C.F.R. § 1.104 (c) (ii).

Applicants believe that the Office Action is either averring that Chang’s “description” or “data” is the same element as Applicants’ event profile since Applicants can find no other

elements in this paragraph that may reasonably be interpreted to be “an event profile”. Applicants respectfully traverse this averment.

Chang’s “description” or “data” cannot be the same element as Applicants’ event profile since Applicants’ claim recites “searching for an event profile corresponding to the event”. Chang’s device does not search for a “description” or “data”. Chang’s “description” is embedded with the recorded part of the event by the recording device, (Chang, Paragraph 16). The description is provided to the recording device based on the time of day, (Chang Paragraph 15, 2nd Sentence). Thus Chang’s device does not search for a description.

Chang’s recording device may associate “data” with the recorded part of the event, (Chang, Paragraph 16). Chang, however, is silent with regard to the type of data that may be associated with recorded part of the event. Chang teaches that the data is to be used for archiving indexing, cataloging, cross referencing, reviewing and retrieving, (Chang, Paragraphs 16). The data contemplated by Chang is likely to be a time stamp, the length of the recording, the type of device making the recording the file format or other marking indicia that may be conveniently generated by the recording device. Regardless of the type of data Chang envisions being associating with recorded part of an event or the type description embedded with the recorded part of the event, Chang does not search for the data.

Chang’s “description” or “data” is therefore not the same element as Applicants event profile. Chang thus fails to disclose the limitation “searching for an event profile” making claims 1, 4-6, 8-14 and 25 patentable over Chang.

Moreover, Chang teaches away from searching for a “description” or “data” corresponding to an event. Chang teaches that the recording device embeds the “description” in the recorded part of the event, (Chang, Paragraph 16). Chang also teaches associating “data” with the recorded part of the event, (Chang Paragraph 16). Chang’s description and data are thus tightly coupled with the recorded part of the event at the time of recording. There is no need to search for a description or data because the description or data and the recorded part of the event are coupled at the time the event is recorded.

Claims 20-24 recite “a storage module to store a record containing an event profile describing the event”. The Office Action asserts that this limitation is taught by Chang in

paragraphs 11, 15 and 16, (Office Action Page 5, Lines 1-2).

As explained above, the Office Action improperly fails to identify the element (part) that the Office Action asserts is the same element as the recited “event profile”. Applicants believe that the Office Action must again be averring either that Chang’s “description” or Chang’s “data” is the same element as Applicants’ “event profile”. Applicants respectfully traverse.

Claims 20-24 also recite “a content categorization module for matching the content with the event based on the event profile and the description information”. The Office Action asserts that this limitation is also taught by Chang in paragraphs 12 and 15, (Office Action, Page 5, Lines 3-4).

As recited, Applicants’ “event profile” and “description information” are two distinct elements. Chang’s “description” therefore cannot anticipate both an “event profile” and “description information” because the claim language expressly recites two different elements.

Similarly, Chang’s “data” cannot be the same element as Applicants’ event profile because Chang’s recording device associates data with the recorded part of the event, (Chang, Paragraph 16). There is no need to match Chang’s content (recorded part of the event) with “data” based on an event profile and description information because Chang’s recording device associates data with content contemporaneously, (Chang, Paragraph 16).

Chang’s “description” and “data” are therefore different from Applicants’ “event profile”. Chang thus fails to disclose an “event profile” as recited in claims 20-24 making claims 20-24 patentable over Chang.

Claims 26-29 recite “receiving an event profile comprising at least one attribute relating to an event”. As explained above, Applicants believe that the Office Action must be averring either that Chang’s “description” or Chang’s “data” is the same element as Applicants’ “event profile”.

Claims 26-29 also recite “receiving content and corresponding content description information”. The Office Action asserts that this limitation is taught by Chang in Paragraph 14 (Office Action, Page 6, Lines 13-14).

Applicants submit that Chang's "description" cannot be the same as Applicants' "event profile" since the claim recites "content information description" and an "event profile". Chang's description cannot anticipate both of these elements since Applicants' event profile and content description information are recited as two different elements.

Applicants also submit that Chang's data cannot be the same element as Applicants' "event profile" because Chang's data are not received. Chang's data are associated with the recorded part of the recorded event by the recording device, (Chang, Paragraph 16). Chang does not disclose the type of data that is associated with the recorded part of the event. As explained above, Chang teaches that the data is to be used for archiving indexing, cataloging, cross referencing, reviewing and retrieving, (Chang, Paragraphs 16). The data contemplated by Chang is likely to be a time stamp, the length of the recording, the type of device making the recording the file format or other marking indicia that may be conveniently generated by the recording. Regardless of the type of data recorded, Chang fails to disclose that the data are received. The data therefore cannot be the same as Applicants' received event profile.

Chang's "description" and "data" thus cannot be the same element as Applicants received event profile. Chang thus fails to disclose an "receiving an event profile" as recited in the claims 26-29 making claims 26-29 patentable over Chang.

For the reasons stated above, Applicants submit that claims 1, 2, 4-6, 8-14 and 20-29 are patentable over Chang and respectfully request that this rejection be withdrawn.

Claim Rejections - 35 U.S.C. §103

Claims 3 and 7 were rejected under 35 U.S.C. § 103(a), as being unpatentable over U.S. Patent Publication No. 2003/0050982 A1 (Chang) in view of U.S. Patent Publication No. 2004/0135904 A1 (Shiota et al.). .

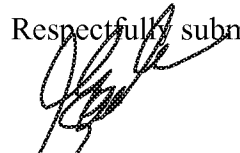
Claims 3 and 7 depend from claim 1 and are patentable for the same reasons as claim 1. Shiota like Chang fails to disclose "searching for an event profile" making claims 3 and 7 patentable Chang in view of Shiota. Accordingly, Applicants respectfully request that this rejection be withdrawn.

CONCLUSION

Applicants submit that all pending claims are in condition for allowance and a Notice of Allowance is respectfully requested. Applicants request that if the rejection of any claim is to be maintained that the particular parts relied on to make the rejection be designated as required by 37 C.F.R. § 1.104 (c) (ii). Applicants also request that if any rejections are to be maintained that the finality of the Office rejection be withdrawn to allow Applicants an opportunity to respond to a proper rejection of the claims.

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Respectfully submitted,



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